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19 **UNITED STATES DISTRICT COURT**
20 **NORTHERN DISTRICT OF CALIFORNIA**
21 **SAN FRANCISCO DIVISION**

22 **IN RE TRANSPACIFIC PASSENGER**
23 **AIR TRANSPORTATION ANTITRUST**
24 **LITIGATION**

25 Civil Action No. 3:07-CV-05634-CRB

26 MDL No: 1913

27 **STIPULATION AND ~~PROPOSED~~**
28 **ORDER MODIFYING CLASS**
29 **CERTIFICATION BRIEFING**
30 **SCHEDULE**

31 **This Document Relates To:**

32 Judge: The Honorable Charles R. Breyer

33 **All Actions**

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1 The parties to the within action¹ hereby agree and stipulate as follows:

2 WHEREAS, on October 6, 2017, the Court entered an order pursuant to which Plaintiffs' motion for class certification was due on January 5, 2018 (*see* ECF No. 1099);

4 WHEREAS, the Court entered an order on November 1, 2017 modifying the class certification schedule (*see* ECF No. 1102);

6 WHEREAS, pursuant to the Court's modified schedule, Plaintiffs' motion for class certification remained due on January 5, 2018, but Remaining Defendants' opposition was to be filed 150 days later, with Plaintiffs' Reply due 60 days thereafter, and, to the extent a sur-reply is permitted, such sur-reply would be due 60 days after that (*see* ECF No. 1102);

10 WHEREAS, on January 2, 2018, the Parties agreed to a three-week extension of Plaintiffs' deadline for filing their motion for class certification, which would make Plaintiffs' motion due on January 26, 2018;

13 WHEREAS, the time differentials between the deadlines for filing a motion for class certification, opposition thereto, the reply, and any sur-reply shall remain consistent with the previous Order entered by the Court on November 1, 2017 (*see* ECF No. 1102);

16 NOW THEREFORE, the Parties agree and stipulate as follows:

17 1. The Court's November 1, 2017 Order (ECF No. 1102) is hereby modified as set forth below;

19 2. Any briefing and related expert report(s) in support of a motion for class certification shall be due on January 26, 2018;

21 3. Defendants' opposition to Plaintiffs' motion for class certification and any related expert report(s) shall be due 150 days after Plaintiffs file their brief in support of class certification (on or before June 25, 2018);

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26 ¹ For purposes of this Stipulation and [Proposed] Order, the Parties are the "Remaining Defendants"—All Nippon Airways Co., Ltd. ("ANA") and EVA Airways Corporation—and Plaintiffs.

4. Plaintiffs' reply and any reply expert report(s) shall be due 60 days after Defendants' opposition papers (on or before August 24, 2018);

5. Defendants' sur-replies and further expert report(s), if any are permitted by the Court, in further opposition to Plaintiffs' motion for class certification, shall be due 60 days after Plaintiffs file their reply brief (on or before October 23, 2018).

Dated: January 2, 2018

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Counsel for Defendant EVA Airways Corporation

ATTORNEY ATTESTATION

I, Christopher L. Lebsock, hereby attest, pursuant to Northern District of California, Local Rule 5-1(i)(3), that concurrence to the filing of this document has been obtained from each signatory hereto.

/s/ Christopher L. Lebsock
Christopher L. Lebsock

SO ORDERED.

Dated: January 3, 2018


HON. CHARLES R. BREYER
United States District Judge